

VIRGINIA BOARD FOR CONTRACTORS
DIRECTORY

Information and forms are available over the internet at: www.dpor.virginia.gov

Please use these telephone numbers for the following actions:

To request an application form	(804) 367-8511
To make an inquiry on a pending application	(804) 367-8511
To make an inquiry regarding the Board or its regulations	(804) 367-8511
To file a complaint against a license or certificate holder	(804) 367-8504
To make an inquiry on the status of a filed complaint	(804) 367-8504

Please write to the Board for Contractors at the below address to request the following:

1. An interpretation of the Board's regulations;
2. A waiver from the Board's regulations regarding a specific entry requirement
(See 18 VAC 50-30-30, 18 VAC 50-30-40 and 18 VAC 50-30-50 of these regulations); or
3. Reciprocity for a required examination (See 18 VAC 50-30-70 of these regulations).

VIRGINIA BOARD FOR CONTRACTORS
Department of Professional and Occupational Regulation
The Perimeter Center, Suite 400
9960 Mayland Drive
Richmond, Virginia 23233

Please write to the Contractor's Licensing Section at the below address to request the following:

1. A change of your address (See 18 VAC 50-30-160 of these regulations);
2. To add or delete a trade designation (See 18 VAC 50-30-150 of these regulations); or
3. General information or an application form.

BOARD FOR CONTRACTORS' LICENSING SECTION
Department of Professional and Occupational Regulation
The Perimeter Center, Suite 400
9960 Mayland Drive
Richmond, Virginia 23233

NOTICE OF REGULATORY CHANGES

These regulations became effective April 1, 2007. The following is a list of significant changes that have occurred as a result of the promulgation of these regulations:

- 1) The name of the regulations has been changed from “Tradesman” to “Individual License and Certification” because of the addition of several new certification programs during the last several years.
- 2) Certified Elevator Mechanics, a new program under the authority of the Board for Contractors, has been added to these regulations. Included within this program is the establishment of eligibility criteria for initial certification and renewal, including continuing education as a requirement for continual certification.
- 3) As a requirement for renewal, licensed Tradesmen (journeyman and master plumbers, electricians, HVAC mechanics and gas-fitters, will be required to complete USBC based code training in their individual fields. Additionally, these amended regulations contain information on becoming an approved education provider, reporting requirements and other pertinent information.

STATEMENT OF PURPOSE

This booklet contains information you will need to obtain individual licenses and certifications issued by the Board for Contractors. The law that governs your profession is found in the Code of Virginia, as amended, in Title 54.1, Chapter 11. That law permits the Board for Contractors, through the Department of Professional and Occupational Regulation, to issue regulations that tell you more about what is expected of you in your profession. This booklet contains a copy of the law and regulations that you will need to know and obey both to obtain and to keep your license or certification.

IT IS YOUR RESPONSIBILITY TO READ THE STANDARDS OF PRACTICE AND CONDUCT. YOUR FAILURE TO FOLLOW THESE STANDARDS COULD RESULT IN A MONETARY PENALTY OR THE LOSS OF YOUR LICENSE OR CERTIFICATION.

The Virginia Board for Contractors and the Department of Professional and Occupational Regulation wish to provide you with the information you need to comply with the law and regulations. If you have a question and cannot find the answer to it in this booklet, please contact us.

Our address is:

**VIRGINIA BOARD FOR CONTRACTORS
Department of Professional and Occupational Regulation
The Perimeter Center, Suite 400
9960 Mayland Drive
Richmond, Virginia 23233**

Our phone number is:

(804) 367-8511

Our email address is:

contractor@dpor.virginia.gov

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INDIVIDUAL LICENSE AND CERTIFICATION REGULATIONS

PART I. GENERAL.

18 VAC 50-30-10. Definitions.

The following words and terms when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise:

“Apprentice” means a person who assists tradesmen while gaining knowledge of the trade through on-the-job training and related instruction in accordance with the Virginia Voluntary Apprenticeship Act (§ 40.1-117 et seq. of the **Code of Virginia**).

“Backflow prevention device work” means work performed by a backflow prevention device worker as defined in § 54.1-1128 of the **Code of Virginia**.

“Building official/inspector” is an employee of the state, a local building department or other political subdivision who enforces the Virginia Uniform Statewide Building Code.

“Certified Elevator Mechanic” means an individual who is certified by the board who is engaged in erecting, constructing, installing, altering, servicing, repairing, testing or maintaining elevators, escalators, or related conveyances in accordance with the Virginia Uniform Statewide Building Code.

“Division” means a limited subcategory within any of the trades, as approved by the department.

“Electrical work” consists of, but is not limited to, the following: **(i)** planning and layout of details for installation or modifications of electrical apparatus and controls including preparation of sketches showing location of wiring and equipment; **(ii)** measuring, cutting, bending, threading, assembling and installing electrical conduits; **(iii)** performing maintenance on electrical systems and apparatus; **(iv)** observation of installed systems or apparatus to detect hazards and need for adjustments, relocation or replacement; and **(v)** repairing faulty systems or apparatus.

“Electrician” means a tradesman who does electrical work including the construction, repair, maintenance, alteration or removal of electrical systems in accordance with the National Electrical Code and the Virginia Uniform Statewide Building Code.

“Formal vocational training” means courses in the trade administered at an accredited educational facility; or formal training, approved by the department, conducted by trade associations, businesses, the military, correspondence schools or other similar training organizations.

“Gas fitter” means an individual who does gas fitting related work usually as a division within the HVAC or plumbing trades in accordance with the Virginia Uniform Statewide Building Code. This work includes the installation, repair, improvement or removal of liquefied petroleum or natural gas piping, tanks, and appliances annexed to real property.

“Helper” or **“laborer”** means a person who assists a licensed tradesman and who is not an apprentice as defined in this chapter.

“HVAC tradesman” means an individual whose work includes the installation, alteration, repair or maintenance of heating systems, ventilating systems, cooling systems, steam and hot water heating systems, boilers, process piping, backflow prevention devices, and mechanical refrigeration systems, including tanks incidental to the system.

“Incidental” means work that is necessary for that particular repair or installation.

“Journeyman” means a person who possesses the necessary ability, proficiency and qualifications to install, repair and maintain specific types of materials and equipment, utilizing a working knowledge sufficient to comply with the pertinent provisions of the Virginia Uniform Statewide Building Code and according to plans and specifications.

“Liquefied petroleum gas fitter” means any individual who engages in, or offers to engage in, work for the general public for compensation in work that includes the installation, repair, improvement, alterations or removal of piping, liquefied petroleum gas tanks and appliances (excluding hot water heaters, boilers and central heating systems that require a heating, ventilation and air conditioning or plumbing certification) annexed to real property.

“Maintenance” means the reconstruction or renewal of any part of a backflow device for the purpose of maintaining its proper operation. This does not include the actions of removing, replacing or installing, except for winterization.

“Master” means a person who possesses the necessary ability, proficiency and qualifications to plan and lay out the details for installation and supervise the work of installing, repairing and maintaining specific types of materials and equipment utilizing a working knowledge sufficient to comply with the pertinent provisions of the Virginia Uniform Statewide Building Code.

“Natural gas fitter provider” means any individual who engages in, or offers to engage in, work for the general public for compensation in the incidental repair, testing, or removal of natural gas piping or fitting annexed to real property, excluding new installation of gas piping for hot water heaters, boilers, central heating systems, or other natural gas equipment that requires heating, ventilation and air conditioning or plumbing certification.

“Periodic Inspection” means to examine a cross connection control device in accordance with the requirements of the locality to be sure that the device is in place and functioning in accordance with the standards of the Virginia Uniform Statewide Building Code.

“Plumber” means an individual who does plumbing work in accordance with the Virginia Uniform Statewide Building Code.

“Plumbing work” means work that includes the installation, maintenance, extension, or alteration or removal of piping, fixtures, appliances, and appurtenances in connection with any of the following:

1. Backflow prevention devices;
2. Boilers;
3. Domestic sprinklers;
4. Hot water baseboard heating systems;

5. Hydronic heating systems;
6. Process piping;
7. Public/private water supply systems within or adjacent to any building, structure or conveyance;
8. Sanitary or storm drainage facilities;
9. Steam heating systems;
10. Storage tanks incidental to the installation of related systems;
11. Venting systems; or
12. Water heaters.

These plumbing tradesmen may also install, maintain, extend or alter the following:

1. Liquid waste systems;
2. Sewerage systems;
3. Storm water systems; and
4. Water supply systems.

“Regulant” means an individual licensed as a tradesman, liquefied petroleum gas fitter, natural gas fitter provider or certified as a backflow prevention device worker or elevator mechanic.

“Reinstatement” means having a license or certification card restored to effectiveness after the expiration date has passed.

“Renewal” means continuing the effectiveness of a license or certification card for another period of time.

“Repair” means the reconstruction or renewal of any part of a backflow prevention device for the purpose of returning to service a currently installed device. This does not include the removal or replacement of a defective device by the installation of a rebuilt or new device.

“Supervisor” means the licensed master or journeyman tradesman who has the responsibility to ensure that the installation is in accordance with the applicable provisions of the Virginia Uniform Statewide Building Code, one of whom must be on the job site at all times during installation.

“Testing organization” means an independent testing organization whose main function is to develop and administer examinations.

“Trade” means any of the following: electrical, gas fitting, HVAC (heating, ventilation and air conditioning), liquefied petroleum gas fitting, natural gas fitting, plumbing, and divisions within them.

“Water Distribution Systems” include fire sprinkler systems, highway/heavy, HVAC, lawn irrigation systems, plumbing, or water purveyor work.

Historical Notes:

Derived from Virginia Register Volume 13, Issue 18, eff. July 1, 1997; amended, Virginia Register Volume 15, Issue 19, eff. July 9, 1999; Volume 17, Issue 26, eff. November 1, 2001; Volume 23, Issue 12, eff. April 1, 2007.

**PART II.
ENTRY.**

18 VAC 50-30-20. Requirements for licensure or certification.

Each applicant shall meet or exceed the requirements set forth in this section prior to issuance of the license or certification card.

The applicant shall be required to take an examination to determine his general knowledge of the regulated activity in which he desires licensure or certification. If the applicant successfully completes the examination, an application furnished by the department shall be completed. The application shall contain the applicant's name, home address, place of employment, and business address; information on the knowledge, skills, abilities and education or training of the applicant; and a statement certifying that the information on the application is correct. If the application is satisfactory to the board, a license or certification card shall be issued.

Historical Notes:

Derived from Virginia Register Volume 13, Issue 18, eff. July 1, 1997; amended, Virginia Register Volume 15, Issue 19, eff. July 9, 1999; Volume 17, Issue 26, eff. November 1, 2001; Volume 23, Issue 12, eff. April 1, 2007.

18 VAC 50-30-30. General qualifications for licensure or certification.

Every applicant to the Board for Contractors for licensure or certification shall meet the requirements and have the qualifications provided in this section.

1. The applicant shall be at least 18 years old.
2. Unless otherwise exempted, the applicant shall meet the current educational requirements by passing all required courses prior to the time the applicant sits for the examination and applies for licensure or certification.
3. Unless exempted, the applicant shall have passed the applicable examination provided by the board or by a testing organization acting on behalf of the board.
4. The applicant shall meet the experience requirements as set forth in sections 18 VAC 50-30-40.
5. In those instances where the applicant is required to take the license or certification examination, the applicant shall follow all rules established by the board with regard to conduct at the examination. Such rules shall include any written instructions communicated prior to the examination date and any instructions communicated at the site, either written or oral, on the date of the examination. Failure to comply with all rules established by the board and the testing organization with regard to conduct at the examination shall be grounds for denial of application.

6. The applicant shall disclose his physical home address; a post office box alone is not acceptable.
7. Each non-resident applicant for a license or certification card shall file and maintain with the department an irrevocable consent for the department to serve as service agent for all actions filed in any court in this Commonwealth. In those instances where service is required, the director of the department will mail the court documents to the individual at the address of record.
8. The applicant shall sign, as part of the application, a statement certifying that the applicant has read and understands Article 3 (§ 54.1-1128 et seq.) of Chapter 11 of Title 54 of the **Code of Virginia** and this chapter.
9. The board may make further inquiries and investigations with respect to the qualifications of the applicant or require a personal interview with the applicant.
10. In accordance with § 54.1-204 of the **Code of Virginia**, each applicant shall disclose a conviction, in any jurisdiction, of any misdemeanor or felony. Any plea of nolo contendere shall be considered a conviction for this purpose of this subdivision. The record of conviction received from a court shall be accepted as prima facie evidence of a conviction or finding of guilt. The board, at its discretion, may deny licensure or certification to any applicant in accordance with § 54.1-204 of the **Code of Virginia**.
11. The applicant shall report any suspensions, revocations, or surrendering of a certificate or license in connection with a disciplinary action or which has been the subject of discipline in any jurisdiction prior to applying for licensure or certification in Virginia. The board, at its discretion, may deny licensure or certification to any applicant based on prior suspensions, revocations, or surrender of certifications or licenses based on disciplinary action by any jurisdiction.

Historical Notes:

Derived from Virginia Register Volume 13, Issue 18, eff. July 1, 1997; amended, Virginia Register Volume 15, Issue 19, eff. July 9, 1999; Volume 23, Issue 12, eff. April 1, 2007.

18 VAC 50-30-40. Evidence of ability and proficiency.

A. Applicants for examination to be licensed as a journeyman shall furnish evidence that one of the following experience and education standards has been attained:

1. Four years of practical experience in the trade and 240 hours of formal vocational training in the trade. Experience in excess of four years may be substituted for formal vocational training at a ratio of one year of experience for 80 hours of formal training, but not to exceed 200 hours;
2. Four years of practical experience and 80 hours of vocational training for liquefied petroleum gas fitters and natural gas fitter providers except that no substitute experience will be allowed for liquefied petroleum gas and natural gas workers;

3. An associate degree or a certificate of completion from at least a two-year program in a tradesman related field from an accredited community college or technical school as evidenced by a transcript from the educational institution and two years of practical experience in the trade for which licensure is desired;
4. A bachelor's degree received from an accredited college or university in an engineering curriculum related to the trade and one year of practical experience in the trade for which licensure is desired; or
5. On or after July 1, 1995, an applicant with ten years of practical experience in the trade as verified by reference letters of experience from any of the following: building officials, building inspectors, current or former employers, contractors, engineers, architects or current or past clients, attesting to the applicant's work in the trade, may be granted permission to sit for the journeyman's level examination without having to meet the educational requirements.

B. Applicants for examination to be licensed as a master shall furnish evidence that one of the following experience standards has been attained:

1. Evidence that they have one year of experience as a licensed journeyman; or
2. On or after July 1, 1995, an applicant with 10 years of practical experience in the trade, as verified by reference letters of experience from any of the following: building officials, building inspectors, current or former employers, contractors, engineers, architects or current or past clients, attesting to the applicant's work in the trade, may be granted permission to sit for the master's level examination without having to meet the educational requirements.

C. Individuals who have successfully passed the Class A contractors trade examination prior to January 1, 1991, administered by the Virginia Board for Contractors in a certified trade shall be deemed qualified as a master in that trade in accordance with this chapter.

D. Applicants for examination to be certified as a backflow prevention device worker shall furnish evidence that one of the following experience and education standards has been attained:

1. Four years of practical experience in water distribution systems and 40 hours of formal vocational training in a school approved by the board; or
2. Applicants with seven or more years of experience may qualify with 16 hours of formal vocational training in a school approved by the board.

The board accepts the American Society of Sanitary Engineers' (ASSE) standards for testing procedures. Other programs could be approved after board review. The board requires all backflow training to include instruction in a wet lab.

E. An applicant for certification as an elevator mechanic shall:

1. Have three years of practical experience in the construction, maintenance and service/repair of elevators, escalators, or related conveyances, 144 hours of formal vocational training, and satisfactorily complete a written examination administered by the board. Experience in excess of four years may be substituted for formal vocational training at a ratio of one year of experience for 40 hours of formal training, but not to exceed 120 hours; or

2. Have three years of practical experience in the construction, maintenance, and service/repair of elevators, escalators, or related conveyances and a certificate of completion of the elevator mechanic examination of a training program determined to be equivalent of the requirements established by the board; or
3. Successfully complete an elevator mechanic apprenticeship program that is approved by the Virginia Apprenticeship Council or registered with the Bureau of Apprenticeship and Training, U.S. Department of Labor, as evidenced by providing a certificate of completion or other official document, and satisfactorily complete a written examination administered by the board.

Historical Notes:

Derived from Virginia Register Volume 13, Issue 18, eff. July 1, 1997; amended, Virginia Register Volume 15, Issue 19, eff. July 9, 1999; Volume 17, Issue 26, eff. November 1, 2001; Volume 23, Issue 12, eff. April 1, 2007.

18 VAC 50-30-50. Exemptions from examination.

A. An individual certified or licensed by any one of the following agencies shall not be required to fulfill the examination requirement:

1. The Department of Housing and Community Development prior to July 1, 1995;
2. Any local governing body prior to July 1, 1978; or
3. Any Virginia locality backflow prevention device worker certification issued prior to July 1, 1998.

B. Other methods of exemption from the journeyman examination are as follows:

1. Successful completion of an apprenticeship program that is approved by the Virginia Apprenticeship Council for exemption from examination, as evidenced by providing a certificate of completion or other official document.
2. Any tradesman who had a Class B registration in the trade prior to January 1, 1991, and has been continuously licensed as a Class B contractor.

Historical Notes:

Derived from Virginia Register Volume 13, Issue 18, eff. July 1, 1997; amended, Virginia Register Volume 15, Issue 19, eff. July 9, 1999; Volume 17, Issue 26, eff. November 1, 2001; Errata, 18:4 VA.R. 658 November 5, 2001; Volume 23, Issue 12, eff. April 1, 2007

18 VAC 50-30-60. Repealed.

Historical Notes:

Derived from Virginia Register Volume 13, Issue 18, eff. July 1, 1997; amended, Virginia Register Volume 15, Issue 19, eff. July 9, 1999; Volume 23, Issue 12, eff. April 1, 2007.

18 VAC 50-30-70. Other recognized programs.

Individuals certified or licensed as a journeyman or a master by governing bodies located outside the Commonwealth of Virginia shall be considered to be in compliance with this chapter if the board or its designee has determined the certifying system to be substantially equivalent to the Virginia system. In addition to the requirements set forth in 18 VAC 50-30-30, these individuals must meet the following requirements:

1. The applicant shall have received the tradesman certification or license by virtue of having passed in the jurisdiction of original certification or licensing a written or oral examination deemed to be substantially equivalent to the Virginia examination.
2. The applicant shall be in good standing as a certified or licensed tradesman in every jurisdiction where certified or licensed, and the applicant shall not have had a certificate or a license as a tradesman which was suspended, revoked, or surrendered in connection with a disciplinary action or which has been the subject of discipline in any jurisdiction prior to applying for licensure in Virginia.
3. Individuals certified or licensed by governing bodies other than the Commonwealth of Virginia may sit for the same level of tradesman examination by completing the required application and providing a copy of a currently valid journeyman or master license or certification.
4. Individuals certified or licensed as backflow prevention device workers by governing bodies located outside the Commonwealth of Virginia may sit for the Virginia backflow prevention device worker examination upon presentation of a currently valid certificate or card from such jurisdictions with their completed examination application and fee. Upon successful completion of this examination, the applicant will be provided with the proper application for certification as a backflow prevention device worker in the Commonwealth of Virginia.

Historical Notes:

Derived from Virginia Register Volume 13, Issue 18, eff. July 1, 1997; amended, Virginia Register Volume 15, Issue 19, eff. July 9, 1999; Volume 23, Issue 12, eff. April 1, 2007.

18 VAC 50-30-80. Repealed.

Historical Notes:

Derived from Virginia Register Volume 13, Issue 18, eff. July 1, 1997; amended, Virginia Register Volume 15, Issue 19, eff. July 9, 1999; Volume 23, Issue 12, eff. April 1, 2007.

18 VAC 50-30-90. Fees for licensure and certification.

A. Each check or money order shall be made payable to the Treasurer of Virginia. All fees required by the board are nonrefundable and shall not be prorated. The date of receipt by the department or its agent is the date that will be used to determine whether or not it is on time. Fees remain active for a period of one year from the date of receipt and all applications must be completed within that time frame.

B. Fees are as follows:

Original tradesman license by examination	\$90
Original tradesman license without examination	\$90
Card exchange (exchange of locality-issued card for state-issued Virginia tradesman license)	\$40
Liquefied Petroleum Gas Fitter	\$90
Natural Gas Fitter Provider	\$90
Backflow Prevention Device Worker certification	\$90
Elevator Mechanic certification	\$90

Historical Notes:

Derived from Virginia Register Volume 13, Issue 18, eff. July 1, 1997; amended, Virginia Register Volume 15, Issue 12, eff. May 1, 1999; Volume 15, Issue 19, eff. July 9, 1999; Volume 17, Issue 26, eff. November 1, 2001; Errata, 18:4 VA.R. 658 November 5, 2001; Volume 19, Issue 6, eff. January 1, 2003, Volume 21, Issue 20, eff. August 1, 2005; Volume 23, Issue 12, eff. April 1, 2007.

18 VAC 50-30-100. Fees for examinations.

The examination fee shall consist of the administration expenses of the department resulting from the board's examination procedures and contract charges. Exam service contracts shall be established through competitive negotiation, in compliance with the Virginia Public Procurement Act (§ 11-35 et seq. of the **Code of Virginia**). The current examination shall not exceed a cost of \$100 for the journeyman's exam and \$125 for the master's exam for any of the trades or \$100 for the backflow prevention device worker or elevator mechanic exam.

Historical Notes:

Derived from Virginia Register Volume 13, Issue 18, eff. July 1, 1997; amended, Virginia Register Volume 15, Issue 19, eff. July 9, 1999; Volume 19, Issue 6, eff. January 1, 2003; Volume 23, Issue 12, eff. April 1, 2007.

18 VAC 50-30-110. Fees for duplicate cards.

The fee for a duplicate card shall be as follows:

First request	\$30
Second request	\$30
Third request	\$45

Any request for the issuance of such a card must be in writing to the board. Requests for a third or subsequent duplicate card may be referred for possible disciplinary action.

Historical Notes:

Derived from Virginia Register Volume 13, Issue 18, eff. July 1, 1997; amended, Virginia Register Volume 19, Issue 6, eff. January 1, 2003; Volume 23, Issue 12, eff. April 1, 2007.

PART III.
RENEWAL AND REINSTATEMENT.

18 VAC 50-30-120. Renewal.

A. Licenses and certification cards issued under this chapter shall expire two years from the last day of the month in which they were issued, as indicated on the license or certification card.

B. Effective with all licenses issued or renewed after December 31, 2007, as a condition of renewal or reinstatement, and pursuant to § 54.1-1133 of the **Code of Virginia**, all individuals holding tradesman licenses with the trade designations of plumbing, electrical and heating, ventilation and air conditioning shall be required to satisfactorily complete three hours of continuing education for each designation and individuals holding licenses as gas fitters, liquefied petroleum gas fitters and natural gas fitter providers, one hour of continuing education, relating to the applicable building code, from a provider approved by the board in accordance with the provisions of this chapter.

C. Certified Elevator Mechanics, as a condition of renewal or reinstatement, and pursuant to § 54.1-1143 of the **Code of Virginia**, shall be required to satisfactorily complete eight hours of continuing education, relating to the provisions of the Virginia Uniform Statewide Building Code pertaining to elevators, escalators and related conveyances. This continuing education will be from a provider approved by the board in accordance with the provisions of this chapter.

D. Renewal fees are as follows:

Tradesman license	\$40
Liquefied Petroleum Gas Fitter license	\$40
Natural Gas Fitter Provider license	\$40
Backflow Prevention Device Worker certification	\$40
Elevator Mechanic certification	\$40

All fees are nonrefundable and shall not be prorated.

E. The board will mail a renewal notice to the regulant outlining procedures for renewal. Failure to receive this notice, however, shall not relieve the regulant of the obligation to renew. If the regulant fails to receive the renewal notice, a photocopy of the license or certification card may be submitted with the required fee as an application for renewal within 30 days of the expiration date.

F. The date on which the renewal fee is received by the department or its agent will determine whether the regulant is eligible for renewal or required to apply for reinstatement.

G. The board may deny renewal of a license or certification card for the same reasons as it may refuse initial issuance or to discipline a regulant. The regulant has a right to appeal any such action by the board under the Virginia Administrative Process Act (§ 2.2-4000 et seq. of the **Code of Virginia**).

H. Failure to timely pay any monetary penalty, reimbursement of cost, or other fee assessed by consent order or final order shall result in delaying or withholding services provided by the department, such as, but not limited to, renewal, reinstatement, processing of a new application, or exam administration.

Historical Notes:

Derived from Virginia Register Volume 13, Issue 18, eff. July 1, 1997; amended, Virginia Register Volume 15, Issue 19, eff. July 9, 1999; Volume 19, Issue 6, eff. January 1, 2003, Volume 21, Issue 20, eff. August 1, 2005; Volume 23, Issue 12, eff. April 1, 2007.

18 VAC 50-30-130. Reinstatement.

A. Should the Department of Professional and Occupational Regulation fail to receive the renewal application or fees within 30 days of the expiration date, the regulant will be required to reinstate the license or certification card.

B. Reinstatement fees are as follows:

Tradesman license	\$130.00*
Liquefied Petroleum Gas Fitter license	\$130.00*
Natural Gas Fitter Provider license	\$130.00*
Backflow Prevention Device Worker certification	\$130.00*
Elevator Mechanic certification	\$130.00*

*Includes renewal fee listed in 18 VAC 50-30-120.

All fees required by the board are non-refundable and shall not be prorated.

C. Applicants for reinstatement shall meet the requirements of 18 VAC 50-30-30.

D. The date on which the reinstatement fee is received by the department or its agent will determine whether the license or certification card is reinstated or a new application is required.

E. In order to ensure that license or certification card holders are qualified to practice as tradesmen, liquefied petroleum gas fitters, natural gas fitter providers, backflow prevention device workers or elevator mechanics, no reinstatement will be permitted once one year from the expiration date has passed. After that date the applicant must apply for a new license or certification card and meet the then current entry requirements.

F. Any tradesman, liquefied petroleum gas fitter, or natural gas fitter provider activity conducted subsequent to the expiration of the license may constitute unlicensed activity and may be subject to prosecution under Title 54.1 of the **Code of Virginia**. Further, any person who holds himself out as a certified backflow prevention device worker, as defined in § 54.1-1128 of the **Code of Virginia**, or as a certified elevator mechanic, as defined in § 54.1-1140 of the **Code of Virginia**, without the appropriate certification, may be subject to prosecution under Title 54.1 of the **Code of Virginia**. Any activity related to the operating integrity of an elevator, escalator, or related conveyance, conducted subsequent to the expiration of an elevator mechanic certification may constitute illegal activity and may be subject to prosecution under Title 54.1 of the **Code of Virginia**.

G. The board may deny reinstatement of a license or certification card for the same reasons as it may refuse initial issuance or to discipline a regulant. The regulant has a right to appeal any such action by the board under the Virginia Administrative Process Act (§ 2.2-4000 et seq. of the **Code of Virginia**).

H. Failure to timely pay any monetary penalty, reimbursement of cost, or other fee assessed by consent order or final order shall result in delaying or withholding services provided by the department, such as, but not limited to, renewal, reinstatement, processing of a new application, or exam administration.

Historical Notes:

Derived from Virginia Register Volume 13, Issue 18, eff. July 1, 1997; amended, Virginia Register Volume 15, Issue 19, eff. July 9, 1999; Volume 19, Issue 6, eff. January 1, 2003, Volume 21, Issue 20, eff. August 1, 2005; Volume 23, Issue 12, eff. April 1, 2007.

18 VAC 50-30-140. Status of regulant during the period prior to reinstatement.

A. When a regulant is reinstated, the individual shall continue to have the same number and shall be assigned an expiration date two years from the previous expiration date.

B. A regulant who reinstates his license or certification card shall be regarded as having been continuously licensed or certified without interruption. Therefore, the regulant shall remain under the disciplinary authority of the board during this entire period and may be held accountable for his activities during this period. Nothing in this chapter shall divest the board of its authority to discipline a regulant for a violation of the law or regulations during the period of licensure or certification.

Historical Notes:

Derived from Virginia Register Volume 13, Issue 18, eff. July 1, 1997; amended, Virginia Register Volume 15, Issue 19, eff. July 9, 1999; Volume 23, Issue 12, eff. April 1, 2007.

**PART IV.
STANDARDS OF PRACTICE.**

18 VAC 50-30-150. Adding or deleting trade designations.

A. A regulant may add designations to a license by demonstrating, on a form provided by the board, acceptable evidence of experience, and examination if appropriate, in the designation sought. The experience, and successful completion of examinations, must be demonstrated by meeting the requirements found in **Part II** (18 VAC 50-30-20 et seq.) of this chapter.

B. The fee for each addition is \$40. All fees required by the board are non-refundable.

C. While a regulant may have multiple trade designations on his license, the renewal date will be based upon the date the card was originally issued to the individual by the board, not the date of the most recent trade designation addition.

D. If a regulant is seeking to delete a designation, then the individual must provide a signed statement listing the designation to be deleted. There is no fee for the deletion of a designation. If the regulant only has one trade or level designation, the deletion of that designation will result in the termination of the license.

Historical Notes:

Derived from Virginia Register Volume 13, Issue 18, eff. July 1, 1997; amended, Virginia Register Volume 15, Issue 19, eff. July 9, 1999; Volume 19, Issue 6, eff. January 1, 2003.

18 VAC 50-30-160. Change of address.

Any change of address shall be reported in writing to the board within 30 days of the change. The board shall not be responsible for the regulant's failure to receive notices or correspondence due to the regulant's failure to report a change of address. A post office address alone is not acceptable.

Historical Notes:

Derived from Virginia Register Volume 13, Issue 18, eff. July 1, 1997.

18 VAC 50-30-170. Transfer of license or certification card prohibited.

No license or certification card issued by the board shall be assigned or otherwise transferred.

Historical Notes:

Derived from Virginia Register Volume 13, Issue 18, eff. July 1, 1997; amended, Virginia Register Volume 15, Issue 19, eff. July 9, 1999.

**PART V.
STANDARDS OF CONDUCT.**

18 VAC 50-30-180. Repealed.

Historical Notes:

Derived from Virginia Register Volume 13, Issue 18, eff. July 1, 1997; Volume 23, Issue 12, eff. April 1, 2007.

18 VAC 50-30-185. Revocation of licensure or certification.

A. Licensure or certification may be revoked for misrepresentation or a fraudulent application or for incompetence as demonstrated by an egregious or repeated violation of the Virginia Uniform Statewide Building Code.

B. The board shall have the power to require remedial education and to suspend, revoke or deny renewal of a license or certification card of any individual who is found to be in violation of the statutes or regulations governing the practice of licensed tradesmen, liquefied petroleum gas fitters, natural gas fitter providers, backflow prevention device workers or elevator mechanics in the Commonwealth of Virginia.

Historical Notes:

Derived from Virginia Register Volume 23, Issue 12, eff. April 1, 2007.

18 VAC 50-30-190. Prohibited acts.

Any of the following are cause for disciplinary action:

1. Failure in any material way to comply with provisions of Chapter 1 (§ 54.1-100 et seq.) or Chapter 11 (§ 54.1-1100 et seq.) of Title 54.1 of the **Code of Virginia** or the regulations of the board;

2. Furnishing substantially inaccurate or incomplete information to the board in obtaining, renewing, reinstating, or maintaining a license or certification card;

3. Where the regulant has failed to report to the board, in writing, the suspension or revocation of a tradesman, liquefied petroleum gas fitter or natural gas fitter provider license, certificate, or card, or backflow prevention device worker or elevator mechanic certification card, by another state, or a conviction in a court of competent jurisdiction of a building code violation;

4. Gross negligence in the practice of a tradesman, liquefied petroleum gas fitter, natural gas fitter provider, backflow prevention device worker or elevator mechanic;

5. Misconduct in the practice of a tradesman, liquefied petroleum gas fitter, natural gas fitter provider, backflow prevention device worker or elevator mechanic;

6. A finding of improper or dishonest conduct in the practice of a tradesman, liquefied petroleum gas fitter, natural gas fitter provider, backflow prevention device worker or elevator mechanic by a court of competent jurisdiction;

7. For licensed tradesmen, liquefied petroleum gas fitters or natural gas fitter providers performing jobs under \$1,000, or backflow prevention device workers or elevator mechanics performing jobs of any amount, abandonment, the intentional and unjustified failure to complete work contracted for, or the retention or misapplication of funds paid, for which work is either not performed or performed only in part (unjustified cessation of work under the contract for a period of 30 days or more shall be considered evidence of abandonment);

8. Making any misrepresentation or making a false promise of a character likely to influence, persuade, or induce;

9. Aiding or abetting an unlicensed contractor to violate any provision of Chapter 1 or Chapter 11 of § 54.1 of the **Code of Virginia**, or these regulations; or combining or conspiring with or acting as agent, partner, or associate for an unlicensed contractor; or allowing one's license or certification to be used by an unlicensed or uncertified individual;

10. Where the regulant has offered, given or promised anything of value or benefit to any federal, state, or local government employee for the purpose of influencing that employee to circumvent, in the performance of his duties, any federal, state, or local law, regulation, or ordinance governing the construction industry;

11. Where the regulant has been convicted or found guilty, after initial licensure or certification, regardless of adjudication, in any jurisdiction of any felony or of a misdemeanor involving lying, cheating or stealing, sexual offense, drug distribution, physical injury, or relating to the practice of the profession, there being no appeal pending therefrom or the time of appeal having elapsed. Any pleas of guilty or nolo contendere shall be considered convictions for the purposes of this subdivision. The record of a conviction certified or authenticated in such form as to be admissible in evidence under the laws of the jurisdiction where convicted shall be admissible as prima facie evidence of such guilt;

12. Having failed to inform the board in writing, within 30 days, that the regulant has pleaded guilty or nolo contendere or was convicted and found guilty of any felony or a misdemeanor involving lying, cheating, stealing, sexual offense, drug distribution, physical injury, or relating to the practice of the profession;

13. Having been disciplined by any county, city, town, or any state or federal governing body for actions relating to the practice of any trade, backflow prevention device work or elevator mechanic work, which action shall be reviewed by the board before it takes any disciplinary action of its own;

14. Failure to comply with the Virginia Uniform Statewide Building Code, as amended;

and

15. Practicing in a classification or specialty service for which the regulant is not licensed or certified.

Historical Notes:

Derived from Virginia Register Volume 13, Issue 18, eff. July 1, 1997; amended, Virginia Register Volume 15, Issue 19, eff. July 9, 1999; Volume 23, Issue 12, eff. April 1, 2007.

PART VI.
VOCATIONAL TRAINING AND CONTINUING EDUCATION PROVIDERS.

18 VAC 50-30-200. Vocational training.

A. Vocational training courses must be completed through accredited colleges, universities, junior and community colleges; adult distributive, marketing and formal vocational training as defined in this chapter; Virginia Apprenticeship Council programs; or proprietary schools approved by the Virginia Department of Education.

B. Backflow prevention device worker courses must be completed through schools approved by the board. The board accepts the American Society of Sanitary Engineers' (ASSE) standards for testing procedures. Other programs could be approved after board review. The board requires all backflow training to include instruction in a wet lab.

C. Elevator mechanic courses must be completed through schools approved by the board. The board accepts training programs approved by the National Elevator Industry Education Program (NEIEP). Other programs could be approved after board review.

Historical Notes:

Derived from Virginia Register Volume 13, Issue 18, eff. July 1, 1997; amended, Virginia Register Volume 15, Issue 19, eff. July 9, 1999; Volume 17, Issue 26, eff. November 1, 2001; Volume 23, Issue 12, eff. April 1, 2007.

18 VAC 50-30-210. Continuing education providers.

A. Application requirements for continuing education providers.

1. Each provider of a building code related continuing education course shall submit an application for approval on a form provided by the board. The application shall include but is not limited to:

- a. the name of the provider;
- b. provider contact person, address and telephone number;
- c. course contact hours;
- d. schedule of courses, if established, including dates, time and locations;
- e. name(s) of instructor(s).

B. Continuing education providers shall have their subject(s) approved by the board prior to initially offering the course. Correspondence and other distance learning courses must include appropriate testing procedures to verify completion of the course.

C. All providers must establish and maintain a record for each student. The record shall include: the student's name and address; social security number or current license number; the course name and clock hours attended; the course syllabus or outline; the name or names of the instructor(s); the date of successful completion and the board's course code. Records shall be available for inspection during normal business hours by authorized representatives of the board. Providers must maintain class records for a minimum of five years.

Historical Notes:

Derived from Virginia Register; Volume 23, Issue 12, eff. April 1, 2007.

18 VAC 50-30-220. Continuing Education Courses.

A. All courses offered by continuing education providers must be approved by the board and shall cover articles of the current edition of the building code for the applicable license specialty. For tradesman with the electrical specialty the National Electrical Code; for tradesman with the plumbing specialty the International Plumbing Code; for tradesman with the HVAC specialty the International Mechanical Code; for Gas Fitters, Liquefied Petroleum Gas Fitters and Natural Gas Fitter Providers the International Fuel Gas Code. Courses offered by continuing education providers for Elevator Mechanics shall cover articles of the current edition of the building code and other applicable laws governing elevators, escalators, or related conveyances.

B. Approved providers shall submit an application for course approval on a form provided by the board. The application shall include but is not limited to:

1. the name of the provider and the approved provider number;
2. the name of the course;
3. the date(s), time(s), and location(s) of the course;
4. instructor information, including name, license number(s) if applicable, and a list of other appropriate trade designations;
5. course and material fees;
6. course syllabus.

C. Courses may be approved retroactively, however no regulant will receive credit toward the continuing education requirements of renewal until such approval is received from the board.

Historical Notes:

Derived from Virginia Register; Volume 23, Issue 12, eff. April 1, 2007.

18 VAC 50-30-230. Reporting of course completion.

All continuing education providers shall electronically transmit course completion data to the board, in an approved format, within 7 days of the completion of each individual course. The transmittal will include: each student's name; social security number or current license number; the date of successful completion of the course and the board's course code.

Historical Notes:

Derived from Virginia Register; Volume 23, Issue 12, eff. April 1, 2007.

18 VAC 50-30-240. Posting continuing education provider and course certificates of approval.

Copies of continuing education provider and course certificates of approval must be available at the location a course is taught.

Historical Notes:

Derived from Virginia Register; Volume 23, Issue 12, eff. April 1, 2007.

18 VAC 50-30-250. Reporting of changes.

Any change in the information provided in 18 VAC 50-30-210.A.1 must be reported to the board within 30 days of the change with the exception of changes in the schedule of courses, which must be reported within 10 days of the change. Failure to report the changes as required may result in the withdrawal of approval of a continuing education provider by the board.

Historical Notes:

Derived from Virginia Register; Volume 23, Issue 12, eff. April 1, 2007.

18 VAC 50-30-260. Withdrawal of approval.

The board may withdraw approval of any continuing education provider for the following reasons:

1. The courses being offered no longer meet the standards established by the board.
2. The provider, through an agent or otherwise, advertises its services in a fraudulent, or deceptive way.
3. The provider, instructor, or designee of the provider falsifies any information relating to the application for approval, course information, student records or fails to produce records required by 18 VAC 50-30-210.C.

Historical Notes:

Derived from Virginia Register; Volume 23, Issue 12, eff. April 1, 2007.